

AMENDED IN ASSEMBLY APRIL 14, 2010

AMENDED IN ASSEMBLY APRIL 6, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 1648

Introduced by Assembly Members Jeffries and Chesbro

January 13, 2010

An act to amend Sections ~~12804.9 and 1808.1~~, 12804.9, and 15278 of, to add Section 12804.11 to, and to repeal Sections 12954, 15250.6, and 15250.7 of, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1648, as amended, Jeffries. Vehicles: ~~firefighter's driver's license; firefighter's: operation of firefighting equipment; driver records.~~

Existing law authorizes the Department of Motor Vehicles to issue a restricted driver's license for the appropriate class of vehicle to a firefighter for the operation of firefighting equipment.

This bill would revise those provisions to instead require a driver to obtain a firefighter endorsement issued by the department to operate firefighting equipment with a Class C license. The bill requires the driver to provide evidence to the department of successful completion of firefighter equipment operation training with a fire department, and pass a written examination developed by the department with the cooperation of the State Fire Marshal.

(1) Existing law prohibits a person from operating firefighting equipment unless that person has in his or her possession a valid driver's license for the appropriate class of vehicle operated.

Existing law requires an applicant for a driver's license to submit to an examination appropriate to the class of vehicle the applicant desires

to drive. Class B vehicles include, among others, a vehicle with a gross vehicle weight rating (GVWR) of more than 26,000 pounds. Successful completion of the examination to drive a class B vehicle qualifies the person to operate all vehicles covered under class C. Class C vehicles include, among others, a vehicle with a GVWR of 26,000 pounds or less.

This bill would revise and recast the provisions regulating the operation of firefighting equipment to permit certain persons employed as a firefighter or registered as a volunteer firefighter to operate firefighting equipment with a GVWR of over 26,000 pounds only if the person obtains and maintains a class A, class B, or class C license and a firefighter endorsement issued by the Department of Motor Vehicles, after providing proof to the department of current employment or registration as a volunteer with a fire department and passing the written examination needed for a commercial driver's license.

(2) Existing law requires an employer of a driver who drives a specified vehicle, including a vehicle for which the driver is required to have a class A or B license, to participate in a pull-notice system, for the purpose of providing the employer with a report that shows, among other things, the driver's current public record as recorded by the department.

This bill would exempt a fire department, as described, from this requirement. The bill would authorize the fire department to participate in the system and the bill would provide that the department would not be subject to a fee if it participates.

The bill would make related changes.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1808.1 of the Vehicle Code is amended
- 2 to read:
- 3 1808.1. (a) The prospective employer of a driver who drives
- 4 a vehicle specified in subdivision (k) shall obtain a report showing
- 5 the driver's current public record as recorded by the department.
- 6 For purposes of this subdivision, a report is current if it was issued
- 7 less than 30 days prior to the date the employer employs the driver.
- 8 The report shall be reviewed, signed, and dated by the employer
- 9 and maintained at the employer's place of business until receipt

1 of the pull-notice system report pursuant to subdivisions (b) and
2 (c). These reports shall be presented upon request to an authorized
3 representative of the Department of the California Highway Patrol
4 during regular business hours.

5 (b) (1) The employer of a driver who drives a vehicle specified
6 in subdivision (k) shall participate in a pull-notice system, which
7 is a process for the purpose of providing the employer with a report
8 showing the driver's current public record as recorded by the
9 department, and any subsequent convictions, failures to appear,
10 accidents, driver's license suspensions, driver's license revocations,
11 or any other actions taken against the driving privilege or
12 certificate, added to the driver's record while the employer's
13 notification request remains valid and uncanceled. As used in this
14 section, participation in the pull-notice system means obtaining a
15 requester code and enrolling all employed drivers who drive a
16 vehicle specified in subdivision (k) under that requester code.

17 (2) *This section does not apply to a regularly organized fire*
18 *department having official recognition of the city, county, city and*
19 *county, or district in which the department is located. A fire*
20 *department may participate in the pull-notice system. If a fire*
21 *department participates in the pull-notice system, the department*
22 *will not be subject to the fee pursuant to subdivision (h).*

23 (c) The employer of a driver of a vehicle specified in subdivision
24 (k) shall, additionally, obtain a periodic report from the department
25 at least every 12 months. The employer shall verify that each
26 employee's driver's license has not been suspended or revoked,
27 the employee's traffic violation point count, and whether the
28 employee has been convicted of a violation of Section 23152 or
29 23153. The report shall be signed and dated by the employer and
30 maintained at the employer's principal place of business. The
31 report shall be presented upon demand to an authorized
32 representative of the Department of the California Highway Patrol
33 during regular business hours.

34 (d) Upon the termination of a driver's employment, the employer
35 shall notify the department to discontinue the driver's enrollment
36 in the pull-notice system.

37 (e) For the purposes of the pull-notice system and periodic report
38 process required by subdivisions (b) and (c), an owner, other than
39 an owner-operator as defined in Section 34624, and an employer
40 who drives a vehicle described in subdivision (k) shall be enrolled

1 as if he or she were an employee. A family member and a volunteer
2 driver who drives a vehicle described in subdivision (k) shall also
3 be enrolled as if he or she were an employee.

4 (f) An employer who, after receiving a driving record pursuant
5 to this section, employs or continues to employ as a driver a person
6 against whom a disqualifying action has been taken regarding his
7 or her driving privilege or required driver's certificate, is guilty of
8 a public offense, and upon conviction thereof, shall be punished
9 by confinement in a county jail for not more than six months, by
10 a fine of not more than one thousand dollars (\$1,000), or by both
11 that confinement and fine.

12 (g) As part of its inspection of bus maintenance facilities and
13 terminals required at least once every 13 months pursuant to
14 subdivision (c) of Section 34501, the Department of the California
15 Highway Patrol shall determine whether each transit operator, as
16 defined in Section 99210 of the Public Utilities Code, is then in
17 compliance with this section and Section 12804.6, and shall certify
18 each operator found to be in compliance. Funds shall not be
19 allocated pursuant to Chapter 4 (commencing with Section 99200)
20 of Part 11 of Division 10 of the Public Utilities Code to a transit
21 operator that the Department of the California Highway Patrol has
22 not certified pursuant to this section.

23 (h) A request to participate in the pull-notice system established
24 by this section shall be accompanied by a fee determined by the
25 department to be sufficient to defray the entire actual cost to the
26 department for the notification service. For the receipt of
27 subsequent reports, the employer shall also be charged a fee
28 established by the department pursuant to Section 1811. An
29 employer who qualifies pursuant to Section 1812 shall be exempt
30 from any fee required pursuant to this section. Failure to pay the
31 fee shall result in automatic cancellation of the employer's
32 participation in the notification services.

33 (i) The department, as soon as feasible, may establish an
34 automatic procedure to provide the periodic reports to an employer
35 by mail or via an electronic delivery method, as required by
36 subdivision (c), on a regular basis without the need for individual
37 requests.

38 (j) (1) The employer of a driver who is employed as a casual
39 driver is not required to enter that driver's name in the pull-notice
40 system, as otherwise required by subdivision (a). However, the

1 employer of a casual driver shall be in possession of a report of
2 the driver's current public record as recorded by the department,
3 prior to allowing a casual driver to drive a vehicle specified in
4 subdivision (k). A report is current if it was issued less than six
5 months prior to the date the employer employs the driver.

6 (2) For the purposes of this subdivision, a driver is employed
7 as a casual driver when the employer has employed the driver less
8 than 30 days during the preceding six months. "Casual driver"
9 does not include a driver who operates a vehicle that requires a
10 passenger transportation endorsement.

11 (k) This section applies to a vehicle for the operation of which
12 the driver is required to have a class A or class B driver's license,
13 a class C license with a hazardous materials endorsement, a class
14 C license issued pursuant to Section 12814.7, or a certificate issued
15 pursuant to Section 2512, 12517, 12519, 12520, 12523, or 12523.5,
16 or a passenger vehicle having a seating capacity of not more than
17 10 persons, including the driver, operated for compensation by a
18 charter-party carrier of passengers or passenger stage corporation
19 pursuant to a certificate of public convenience and necessity or a
20 permit issued by the Public Utilities Commission.

21 (l) This section shall not be construed to change the definition
22 of "employer," "employee," or "independent contractor" for any
23 purpose.

24 (m) A motor carrier who contracts with a person to drive a
25 vehicle described in subdivision (k) that is owned by, or leased to,
26 that motor carrier, shall be subject to subdivisions (a), (b), (c), (d),
27 (f), (j), (k), and (l) and the employer obligations in those
28 subdivisions.

29 **SECTION 1.** Section 12804.9 of the Vehicle Code is amended
30 to read:

31 ~~12804.9. (a) (1) The examination shall include all of the~~
32 ~~following:~~

33 ~~(A) A test of the applicant's knowledge and understanding of~~
34 ~~the provisions of this code governing the operation of vehicles~~
35 ~~upon the highways.~~

36 ~~(B) A test of the applicant's ability to read and understand~~
37 ~~simple English used in highway traffic and directional signs.~~

38 ~~(C) A test of the applicant's understanding of traffic signs and~~
39 ~~signals, including the bikeway signs, markers, and traffic control~~
40 ~~devices established by the Department of Transportation.~~

1 (D) ~~An actual demonstration of the applicant's ability to exercise~~
2 ~~ordinary and reasonable control in operating a motor vehicle by~~
3 ~~driving it under the supervision of an examining officer. The~~
4 ~~applicant shall submit to an examination appropriate to the type~~
5 ~~of motor vehicle or combination of vehicles he or she desires a~~
6 ~~license to drive, except that the department may waive the driving~~
7 ~~test part of the examination for any applicant who submits a license~~
8 ~~issued by another state, territory, or possession of the United States,~~
9 ~~the District of Columbia, or the Commonwealth of Puerto Rico if~~
10 ~~the department verifies through any acknowledged national driver~~
11 ~~record data source that there are no stops, holds, or other~~
12 ~~impediments to its issuance. The examining officer may request~~
13 ~~to see evidence of financial responsibility for the vehicle prior to~~
14 ~~supervising the demonstration of the applicant's ability to operate~~
15 ~~the vehicle. The examining officer may refuse to examine an~~
16 ~~applicant who is unable to provide proof of financial responsibility~~
17 ~~for the vehicle, unless proof of financial responsibility is not~~
18 ~~required by this code.~~

19 (E) ~~A test of the hearing and eyesight of the applicant, and of~~
20 ~~other matters that may be necessary to determine the applicant's~~
21 ~~mental and physical fitness to operate a motor vehicle upon the~~
22 ~~highways, and whether any grounds exist for refusal of a license~~
23 ~~under this code.~~

24 (2) ~~The examination for a class A or class B driver's license~~
25 ~~under subdivision (b) shall also include a report of a medical~~
26 ~~examination of the applicant given not more than two years prior~~
27 ~~to the date of the application by a health care professional. As used~~
28 ~~in this paragraph, "health care professional" means a person who~~
29 ~~is licensed, certified, or registered in accordance with applicable~~
30 ~~state laws and regulations to practice medicine and perform~~
31 ~~physical examinations in the United States. Health care~~
32 ~~professionals are doctors of medicine, doctors of osteopathy,~~
33 ~~physician assistants, and registered advanced practice nurses, or~~
34 ~~doctors of chiropractic who are clinically competent to perform~~
35 ~~the medical examination presently required of motor carrier drivers~~
36 ~~by the federal Department of Transportation. The report shall be~~
37 ~~on a form approved by the department, the federal Department of~~
38 ~~Transportation, or the Federal Aviation Administration. In~~
39 ~~establishing the requirements, consideration may be given to the~~

standards presently required of motor carrier drivers by the Federal Highway Administration.

(3) A physical defect of the applicant that, in the opinion of the department, is compensated for to ensure safe driving ability, shall not prevent the issuance of a license to the applicant.

(b) In accordance with the following classifications, an applicant for a driver's license shall be required to submit to an examination appropriate to the type of motor vehicle or combination of vehicles the applicant desires a license to drive:

(1) Class A includes the following:

(A) A combination of vehicles, if a vehicle being towed has a gross vehicle weight rating of more than 10,000 pounds.

(B) A vehicle towing more than one vehicle.

(C) A trailer bus.

(D) The operation of all vehicles under class B and class C.

(2) Class B includes the following:

(A) A single vehicle with a gross vehicle weight rating of more than 26,000 pounds.

(B) A single vehicle with three or more axles, except any three-axle vehicle weighing less than 6,000 pounds.

(C) A bus except a trailer bus.

(D) A farm labor vehicle.

(E) A single vehicle with three or more axles or a gross vehicle weight rating of more than 26,000 pounds towing another vehicle with a gross vehicle weight rating of 10,000 pounds or less.

(F) A house car over 40 feet in length, excluding safety devices and safety bumpers.

(G) The operation of all vehicles covered under class C.

(3) Class C includes the following:

(A) A two-axle vehicle with a gross vehicle weight rating of 26,000 pounds or less, including when the vehicle is towing a trailer or semitrailer with a gross vehicle weight rating of 10,000 pounds or less.

(B) Notwithstanding subparagraph (A), a two-axle vehicle weighing 4,000 pounds or more unladen when towing a trailer coach not exceeding 9,000 pounds gross.

(C) A house car of 40 feet in length or less.

(D) A three-axle vehicle weighing 6,000 pounds gross or less.

(E) A house car of 40 feet in length or less or vehicle towing another vehicle with a gross vehicle weight rating of 10,000 pounds

1 or less, including when a tow dolly is used. A person driving a
2 vehicle may not tow another vehicle in violation of Section 21715.

3 (F) (i) A two-axle vehicle weighing 4,000 pounds or more
4 unladen when towing either a trailer coach or a fifth-wheel travel
5 trailer not exceeding 10,000 pounds gross vehicle weight rating,
6 when the towing of the trailer is not for compensation.

7 (ii) A two-axle vehicle weighing 4,000 pounds or more unladen
8 when towing a fifth-wheel travel trailer exceeding 10,000 pounds;
9 but not exceeding 15,000 pounds, gross vehicle weight rating,
10 when the towing of the trailer is not for compensation, and if the
11 person has passed a specialized written examination provided by
12 the department relating to the knowledge of this code and other
13 safety aspects governing the towing of recreational vehicles upon
14 the highway.

15 The authority to operate combinations of vehicles under this
16 subparagraph may be granted by endorsement on a class C license
17 upon completion of that written examination.

18 (G) A vehicle or combination of vehicles with a gross
19 combination weight rating or a gross vehicle weight rating, as
20 those terms are defined in subdivisions (j) and (k), respectively,
21 of Section 15210, of 26,000 pounds or less, if all of the following
22 conditions are met:

23 (i) Is operated by a farmer, an employee of a farmer, or an
24 instructor credentialed in agriculture as part of an instructional
25 program in agriculture at the high school, community college, or
26 university level.

27 (ii) Is used exclusively in the conduct of agricultural operations.

28 (iii) Is not used in the capacity of a for-hire carrier or for
29 compensation.

30 (H) Firefighting equipment if all of the following conditions
31 are met:

32 (i) Is operated by a person employed as a firefighter by a federal
33 or state agency or by a regularly organized fire department of a
34 city, county, city and county, or district, or registered as a volunteer
35 member of a regularly organized fire department having official
36 recognition of the city, county, city and county, or district in which
37 the department is located.

38 (ii) Is operated by a person with a valid license with a firefighter
39 endorsement, pursuant to Section 12804.11.

(iii) For purposes of this subparagraph, “firefighting equipment” means a motor vehicle used to travel to and from the scene of any emergency situation, or to transport equipment used in the control of any emergency situation, and which is owned, leased, or rented by, or under the exclusive control of, a federal or state agency, a regularly organized fire department of a city, county, city and county, or district, or a volunteer fire department having official recognition of the city, county, city and county, or district in which the department is located.

(I) A motorized scooter.

(J) Class C does not include a two-wheel motorcycle or a two-wheel motor-driven cycle.

(4) Class M1. A two-wheel motorcycle or a motor-driven cycle. Authority to operate a vehicle included in a class M1 license may be granted by endorsement on a class A, B, or C license upon completion of an appropriate examination.

(5) (A) Class M2 includes the following:

(i) A motorized bicycle or moped, or a bicycle with an attached motor, except a motorized bicycle described in subdivision (b) of Section 406.

(ii) A motorized scooter.

(B) Authority to operate vehicles included in class M2 may be granted by endorsement on a class A, B, or C license upon completion of an appropriate examination, except that no endorsement is required for a motorized scooter. Persons holding a class M1 license or endorsement may operate vehicles included in class M2 without further examination.

(c) A driver’s license or driver certificate is not valid for operating a commercial motor vehicle, as defined in subdivision (b) of Section 15210, any other motor vehicle defined in paragraph (1) or (2) of subdivision (b), or any other vehicle requiring a driver to hold any driver certificate or any driver’s license endorsement under Section 15275, unless a medical certificate approved by the department, the federal Department of Transportation, or the Federal Aviation Administration, that has been issued within two years of the date of the operation of that vehicle, is within the licensee’s immediate possession, and a copy of the medical examination report from which the certificate was issued is on file with the department. Otherwise, the license is valid only for operating class C vehicles that are not commercial vehicles, as

1 defined in subdivision (b) of Section 15210, and for operating class
2 M1 or M2 vehicles, if so endorsed, that are not commercial
3 vehicles, as defined in subdivision (b) of Section 15210.

4 (d) A license or driver certificate issued prior to the enactment
5 of Chapter 7 (commencing with Section 15200) is valid to operate
6 the class or type of vehicles specified under the law in existence
7 prior to that enactment until the license or certificate expires or is
8 otherwise suspended, revoked, or canceled.

9 (e) The department may accept a certificate of driving skill that
10 is issued by an employer, authorized by the department to issue a
11 certificate under Section 15250, of the applicant, in lieu of a driving
12 test, on class A or B applications, if the applicant has first qualified
13 for a class C license and has met the other examination
14 requirements for the license for which he or she is applying. The
15 certificate may be submitted as evidence of the applicant's skill
16 in the operation of the types of equipment covered by the license
17 for which he or she is applying.

18 (f) The department may accept a certificate of competence in
19 lieu of a driving test on class M1 or M2 applications, when the
20 certificate is issued by a law enforcement agency for its officers
21 who operate class M1 or M2 vehicles in their duties, if the applicant
22 has met the other examination requirements for the license for
23 which he or she is applying.

24 (g) The department may accept a certificate of satisfactory
25 completion of a novice motorcycle training program approved
26 by the commissioner pursuant to Section 2932 in lieu of a driving
27 test on class M1 or M2 applications, if the applicant has met the
28 other examination requirements for the license for which he or she
29 is applying. The department shall review and approve the written
30 and driving test used by a program to determine whether the
31 program may issue a certificate of completion.

32 (h) Notwithstanding subdivision (b), a person holding a valid
33 California driver's license of any class may operate a short-term
34 rental motorized bicycle without taking any special examination
35 for the operation of a motorized bicycle, and without having a
36 class M2 endorsement on that license. As used in this subdivision,
37 "short-term" means 48 hours or less.

38 (i) A person under the age of 21 years may not be issued a class
39 M1 or M2 license or endorsement unless he or she provides
40 evidence satisfactory to the department of completion of a

~~motorecycle safety training program that is operated pursuant to Article 2 (commencing with Section 2930) of Chapter 5 of Division 2.~~

~~(j) A driver of a vanpool vehicle may operate with a class C license but shall possess evidence of a medical examination required for a class B license when operating vanpool vehicles. In order to be eligible to drive the vanpool vehicle, the driver shall keep in the vanpool vehicle a statement, signed under penalty of perjury, that he or she has not been convicted of reckless driving, drunk driving, or a hit-and-run offense in the last five years.~~

~~(k) A class M license issued between January 1, 1989, and December 31, 1992, shall permit the holder to operate any motorecycle, motor-driven cycle, or motorized bicycle until the expiration of the license.~~

SEC. 2. Section 12804.9 of the Vehicle Code is amended to read:

12804.9. (a) (1) The examination shall include all of the following:

(A) A test of the applicant's knowledge and understanding of the provisions of this code governing the operation of vehicles upon the highways.

(B) A test of the applicant's ability to read and understand simple English used in highway traffic and directional signs.

(C) A test of the applicant's understanding of traffic signs and signals, including the bikeway signs, markers, and traffic control devices established by the Department of Transportation.

(D) An actual demonstration of the applicant's ability to exercise ordinary and reasonable control in operating a motor vehicle by driving it under the supervision of an examining officer. The applicant shall submit to an examination appropriate to the type of motor vehicle or combination of vehicles he or she desires a license to drive, except that the department may waive the driving test part of the examination for any applicant who submits a license issued by another state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico if the department verifies through any acknowledged national driver record data source that there are no stops, holds, or other impediments to its issuance. The examining officer may request to see evidence of financial responsibility for the vehicle prior to supervising the demonstration of the applicant's ability to operate

1 the vehicle. The examining officer may refuse to examine an
2 applicant who is unable to provide proof of financial responsibility
3 for the vehicle, unless proof of financial responsibility is not
4 required by this code.

5 (E) A test of the hearing and eyesight of the applicant, and of
6 other matters that may be necessary to determine the applicant's
7 mental and physical fitness to operate a motor vehicle upon the
8 highways, and whether any grounds exist for refusal of a license
9 under this code.

10 (2) The examination for a class A or class B driver's license
11 under subdivision (b) shall also include a report of a medical
12 examination of the applicant given not more than two years prior
13 to the date of the application by a health care professional. As used
14 in this paragraph, "health care professional" means a person who
15 is licensed, certified, or registered in accordance with applicable
16 state laws and regulations to practice medicine and perform
17 physical examinations in the United States. Health care
18 professionals are doctors of medicine, doctors of osteopathy,
19 physician assistants, and registered advanced practice nurses, or
20 doctors of chiropractic who are clinically competent to perform
21 the medical examination presently required of motor carrier drivers
22 by the federal Department of Transportation. The report shall be
23 on a form approved by the department, the federal Department of
24 Transportation, or the Federal Aviation Administration. In
25 establishing the requirements, consideration may be given to the
26 standards presently required of motor carrier drivers by the Federal
27 Highway Administration.

28 (3) A physical defect of the applicant that, in the opinion of the
29 department, is compensated for to ensure safe driving ability, shall
30 not prevent the issuance of a license to the applicant.

31 (b) In accordance with the following classifications, an applicant
32 for a driver's license shall be required to submit to an examination
33 appropriate to the type of motor vehicle or combination of vehicles
34 the applicant desires a license to drive:

35 (1) Class A includes the following:

36 (A) A combination of vehicles, if a vehicle being towed has a
37 gross vehicle weight rating of more than 10,000 pounds.

38 (B) A vehicle towing more than one vehicle.

39 (C) A trailer bus.

40 (D) The operation of all vehicles under class B and class C.

(2) Class B includes the following:

(A) ~~A~~ Except as provided in subparagraph (H) of paragraph (3), a single vehicle with a gross vehicle weight rating of more than 26,000 pounds.

(B) A single vehicle with three or more axles, except any three-axle vehicle weighing less than 6,000 pounds.

(C) A bus except a trailer bus.

(D) A farm labor vehicle.

(E) A single vehicle with three or more axles or a gross vehicle weight rating of more than 26,000 pounds towing another vehicle with a gross vehicle weight rating of 10,000 pounds or less.

(F) A house car over 40 feet in length, excluding safety devices and safety bumpers.

(G) The operation of all vehicles covered under class C.

(3) Class C includes the following:

(A) A two-axle vehicle with a gross vehicle weight rating of 26,000 pounds or less, including when the vehicle is towing a trailer or semitrailer with a gross vehicle weight rating of 10,000 pounds or less.

(B) Notwithstanding subparagraph (A), a two-axle vehicle weighing 4,000 pounds or more unladen when towing a trailer coach not exceeding 9,000 pounds gross.

(C) A house car of 40 feet in length or less.

(D) A three-axle vehicle weighing 6,000 pounds gross or less.

(E) A house car of 40 feet in length or less or vehicle towing another vehicle with a gross vehicle weight rating of 10,000 pounds or less, including when a tow dolly is used. A person driving a vehicle may not tow another vehicle in violation of Section 21715.

(F) (i) A two-axle vehicle weighing 4,000 pounds or more unladen when towing either a trailer coach or a fifth-wheel travel trailer not exceeding 10,000 pounds gross vehicle weight rating, when the towing of the trailer is not for compensation.

(ii) A two-axle vehicle weighing 4,000 pounds or more unladen when towing a fifth-wheel travel trailer exceeding 10,000 pounds, but not exceeding 15,000 pounds, gross vehicle weight rating, when the towing of the trailer is not for compensation, and if the person has passed a specialized written examination provided by the department relating to the knowledge of this code and other safety aspects governing the towing of recreational vehicles upon the highway.

1 The authority to operate combinations of vehicles under this
2 subparagraph may be granted by endorsement on a class C license
3 upon completion of that written examination.

4 (G) A vehicle or combination of vehicles with a gross
5 combination weight rating or a gross vehicle weight rating, as
6 those terms are defined in subdivisions (j) and (k), respectively,
7 of Section 15210, of 26,000 pounds or less, if all of the following
8 conditions are met:

9 (i) Is operated by a farmer, an employee of a farmer, or an
10 instructor credentialed in agriculture as part of an instructional
11 program in agriculture at the high school, community college, or
12 university level.

13 (ii) Is used exclusively in the conduct of agricultural operations.

14 (iii) Is not used in the capacity of a for-hire carrier or for
15 compensation.

16 *(H) Firefighting equipment with a gross vehicle weight rating*
17 *over 26,000 pounds and operated by a person who is required to*
18 *have a firefighter endorsement, pursuant to Section 12804.11.*

19 ~~(H)~~

20 (I) A motorized scooter.

21 ~~(I)~~

22 (J) Class C does not include a two-wheel motorcycle or a
23 two-wheel motor-driven cycle.

24 (4) Class M1. A two-wheel motorcycle or a motor-driven cycle.
25 Authority to operate a vehicle included in a class M1 license may
26 be granted by endorsement on a class A, B, or C license upon
27 completion of an appropriate examination.

28 (5) (A) Class M2 includes the following:

29 (i) A motorized bicycle or moped, or a bicycle with an attached
30 motor, except a motorized bicycle described in subdivision (b) of
31 Section 406.

32 (ii) A motorized scooter.

33 (B) Authority to operate vehicles included in class M2 may be
34 granted by endorsement on a class A, B, or C license upon
35 completion of an appropriate examination, except that no
36 endorsement is required for a motorized scooter. Persons holding
37 a class M1 license or endorsement may operate vehicles included
38 in class M2 without further examination.

39 (c) A driver's license or driver certificate is not valid for
40 operating a commercial motor vehicle, as defined in subdivision

1 (b) of Section 15210, any other motor vehicle defined in paragraph
2 (1) or (2) of subdivision (b), or any other vehicle requiring a driver
3 to hold any driver certificate or any driver's license endorsement
4 under Section 15275, unless a medical certificate approved by the
5 department, the federal Department of Transportation, or the
6 Federal Aviation Administration, that has been issued within two
7 years of the date of the operation of that vehicle, is within the
8 licensee's immediate possession, and a copy of the medical
9 examination report from which the certificate was issued is on file
10 with the department. Otherwise, the license is valid only for
11 operating class C vehicles that are not commercial vehicles, as
12 defined in subdivision (b) of Section 15210, and for operating class
13 M1 or M2 vehicles, if so endorsed, that are not commercial
14 vehicles, as defined in subdivision (b) of Section 15210.

15 (d) A license or driver certificate issued prior to the enactment
16 of Chapter 7 (commencing with Section 15200) is valid to operate
17 the class or type of vehicles specified under the law in existence
18 prior to that enactment until the license or certificate expires or is
19 otherwise suspended, revoked, or canceled.

20 (e) The department may accept a certificate of driving skill that
21 is issued by an employer, authorized by the department to issue a
22 certificate under Section 15250, of the applicant, in lieu of a driving
23 test, on class A or B applications, if the applicant has first qualified
24 for a class C license and has met the other examination
25 requirements for the license for which he or she is applying. The
26 certificate may be submitted as evidence of the applicant's skill
27 in the operation of the types of equipment covered by the license
28 for which he or she is applying.

29 (f) The department may accept a certificate of competence in
30 lieu of a driving test on class M1 or M2 applications, when the
31 certificate is issued by a law enforcement agency for its officers
32 who operate class M1 or M2 vehicles in their duties, if the applicant
33 has met the other examination requirements for the license for
34 which he or she is applying.

35 (g) The department may accept a certificate of satisfactory
36 completion of a novice motorcyclist training program approved
37 by the commissioner pursuant to Section 2932 in lieu of a driving
38 test on class M1 or M2 applications, if the applicant has met the
39 other examination requirements for the license for which he or she
40 is applying. The department shall review and approve the written

1 and driving test used by a program to determine whether the
2 program may issue a certificate of completion.

3 (h) Notwithstanding subdivision (b), a person holding a valid
4 California driver's license of any class may operate a short-term
5 rental motorized bicycle without taking any special examination
6 for the operation of a motorized bicycle, and without having a
7 class M2 endorsement on that license. As used in this subdivision,
8 "short-term" means 48 hours or less.

9 (i) A person under the age of 21 years may not be issued a class
10 M1 or M2 license or endorsement unless he or she provides
11 evidence satisfactory to the department of completion of a
12 motorcycle safety training program that is operated pursuant to
13 Article 2 (commencing with Section 2930) of Chapter 5 of Division
14 2.

15 (j) A driver of a vanpool vehicle may operate with a class C
16 license but shall possess evidence of a medical examination
17 required for a class B license when operating vanpool vehicles. In
18 order to be eligible to drive the vanpool vehicle, the driver shall
19 keep in the vanpool vehicle a statement, signed under penalty of
20 perjury, that he or she has not been convicted of reckless driving,
21 drunk driving, or a hit-and-run offense in the last five years.

22 (k) A class M license issued between January 1, 1989, and
23 December 31, 1992, shall permit the holder to operate any
24 motorcycle, motor-driven cycle, or motorized bicycle until the
25 expiration of the license.

26 ~~SEC. 2.~~

27 *SEC. 3.* Section 12804.11 is added to the Vehicle Code, to
28 read:

29 ~~12804.11. (a) A driver is required to obtain a firefighter~~

30 *12804.11. (a) To operate firefighting equipment with a gross*
31 *vehicle weight rating of more than 26,000 pounds, a driver,*
32 *including a tiller operator, is required to obtain and maintain a*
33 *firefighter endorsement issued by the department to operate*
34 *firefighting equipment with a Class C license as provided for in*
35 *subparagraph (H) of paragraph (3) of subdivision (b) of Section*
36 ~~12804.9. To and obtain and maintain a class A, class B, or class~~
37 *C license. To* qualify for a firefighter endorsement the driver shall
38 do both of the following:

39 ~~(1) Provide evidence to the department of successful completion~~
40 ~~of firefighter equipment operation training with a fire department.~~

1 ~~(2) Pass a written examination. The written examination shall~~
2 ~~be developed by the department with the cooperation of the State~~
3 ~~Fire Marshal. The department shall include a sufficient number of~~
4 ~~questions to ensure that passing the special examination under this~~
5 ~~section ensures a level of safety comparable to examinations given~~
6 ~~under Section 15250.~~

7 *(1) Provide proof to the department of current employment or*
8 *registration as a volunteer with a fire department by providing a*
9 *letter, or other indication, from the chief of the fire department.*

10 *(2) Pass the written examination needed for a commercial*
11 *driver's license pursuant to Section 15250.*

12 (b) There shall be no additional charge for adding a firefighter
13 endorsement to an original license or when renewing a license. To
14 add a firefighter endorsement to an existing license when not
15 renewing the license, the applicant shall pay the fee for a duplicate
16 license pursuant to Section 14901.

17 (c) *(1) A driver of firefighting equipment is subject to the*
18 *requirements of subdivision (a) if both of the following conditions*
19 *exist:*

20 *(A) The equipment is operated by a person employed as a*
21 *firefighter by a federal or state agency or by a regularly organized*
22 *fire department of a city, county, city and county, or district, or*
23 *registered as a volunteer member of a regularly organized fire*
24 *department having official recognition of the city, county, city and*
25 *county, or district in which the department is located.*

26 *(B) The motor vehicle, with a gross vehicle weight rating above*
27 *26,000 pounds, is used to travel to and from the scene of any*
28 *emergency situation, or to transport equipment used in the control*
29 *of any emergency situation, and which is owned, leased, or rented*
30 *by, or under the exclusive control of, a federal or state agency, a*
31 *regularly organized fire department of a city, county, city and*
32 *county, or district, or a volunteer fire department having official*
33 *recognition of the city, county, city and county, or district in which*
34 *the department is located.*

35 (2) A driver of firefighting equipment is not required to obtain
36 and maintain a firefighter endorsement pursuant to subdivision
37 (a) if the driver is operating the firefighting equipment for training
38 purposes, during a nonemergency, while under the direct
39 supervision of a fire department employee who is properly licensed

1 *to operate the equipment and is authorized by the fire department*
2 *to provide training.*

3 *(d) For purposes of this section, a tiller operator is the driver*
4 *of the rear free-axle portion of a ladder truck.*

5 *(e) This section applies to a person hired by a fire department,*
6 *or to a person renewing a driver's license, on or after January 1,*
7 *2011.*

8 ~~SEC. 3.~~

9 SEC. 4. Section 12954 of the Vehicle Code is repealed.

10 ~~SEC. 4.~~

11 SEC. 5. Section 15250.6 of the Vehicle Code is repealed.

12 ~~SEC. 5.~~

13 SEC. 6. Section 15250.7 of the Vehicle Code is repealed.

14 ~~SEC. 6.~~

15 SEC. 7. Section 15278 of the Vehicle Code is amended to read:

16 15278. (a) A driver is required to obtain an endorsement issued
17 by the department to operate any commercial motor vehicle that
18 is any of the following:

19 (1) A double trailer.

20 (2) A passenger transportation vehicle, which includes, but is
21 not limited to, a bus, farm labor vehicle, or general public
22 paratransit vehicle when designed, used, or maintained to carry
23 more than 10 persons including the driver.

24 (3) A schoolbus.

25 (4) A tank vehicle.

26 (5) A vehicle carrying hazardous materials, as defined in Section
27 353, that is required to display placards pursuant to Section 27903,
28 unless the driver is exempt from the endorsement requirement as
29 provided in subdivision (b). This paragraph does not apply to any
30 person operating an implement of husbandry who is not required
31 to obtain a driver's license under this code.

32 (b) This section does not apply to any person operating a vehicle
33 in an emergency situation at the direction of a peace officer
34 pursuant to Section 2800.